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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MARIA JACKSON,

Plaintiff,

-against-

THE SCOTTS COMPANY,

Defendant.  
-----X

Index No. 08 CV 1064 (LAK)

ORDER GRANTING MOTION  
TO REMAND  
ACTION TO STATE COURT

A hearing will be held at the discretion of this Court on the plaintiff's motion to remand and it appearing to the Court that the Court has no jurisdiction over this action, it is ORDERED that:

1. Plaintiff's motion to remand is granted.
2. This action is remanded to the Supreme Court of the State of New York County of Bronx.
3. Plaintiff is awarded all costs incurred as a result of the defendant's removal of this action from state court.

Dated: February , 2008  
New York, New York

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The Honorable Lewis A. Kaplan  
United States District Judge